

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

FITBIT, INC.,	)	
	)	C.A. No. 15-cv-990-RGA
Plaintiff,	)	
	)	
v.	)	
	)	
ALIPHCOM d/b/a JAWBONE and	)	<b>DEMAND FOR JURY TRIAL</b>
BODYMEDIA, INC.,	)	
	)	
Defendants.	)	

**[PROPOSED] ORDER GRANTING DEFENDANTS'  
MOTION TO STAY THIS CASE PURSUANT TO 28 U.S.C § 1659**

Defendants have established that the requirements for a mandatory stay pursuant to 28 U.S.C. § 1659 are met: 1) the parties to the above-captioned matter are also parties to a proceeding before the International Trade Commission (“ITC”) under section 337 of the Tariff Act of 1930 in the matter titled, *Certain Wearable Activity Tracking Devices, Systems, and Components Thereof*, Investigation No. 337-TA-973, involving the same three patents; and 2) Defendants’ motion was filed within 30 days of the institution of the ITC action.

Therefore, IT IS HEREBY ORDERED that Defendants’ motion to stay this action until a final decision issues in the ITC action and that action can longer be appealed is GRANTED.

**IT IS SO ORDERED.**

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
The Honorable Richard G. Andrews  
UNITED STATES DISTRICT JUDGE